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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/671,449      | 09/27/2000  | NOBUO MATSUI         | 0107-128            | 6013             |

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Falls Church, VA 22042-1210

EXAMINER

VILLECCO, JOHN M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2612

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/671,449

Applicant(s)

MATSUI, NOBUO

Examiner

John M. Villecco

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 5-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3 and 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION III

1. Applicant's election without traverse of Group I, claims 1-4, in the reply filed on June 8, 2004 is acknowledged.
2. Claims 5-10 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 8, 2004.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimamura et al. (U.S. Patent No. 5,721,586).**

5. Regarding *claim 1*, Shimamura discloses a prompter support system which includes a display unit (22), a semitransparent mirror (35) which reflects the light from the display in a predetermined direction, and a TV camera (10). The support member includes swing arm (16B) and slideable arm (16C) which act as the plurality of support members. The arms are capable of being slid in a forward or backward direction using guide grooves (18) wherein the fixing screw (19C) acts to hold the members in the desired position. The guide grooves (18) and the fixing screw (19C) act as the overlapping mechanism. See column 3, lines 52-63.

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6. As for *claim 2*, Shimamura discloses that the arm (16C) is slideable using the fixing screw (19C). The arms 16B and 16C are slid in an overlapping manner (which includes moving the support members closer to each other) in order to be adjusted to the users requirements.

7. With regard to *claim 3*, Shimamura discloses arms 16C and 20, which are interpreted to be the first support member. Arms 16A and 16B, along with handle (15) are interpreted to be the second support member.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimamura et al. (U.S. Patent No. 5,721,586) in view of Zeper (U.S. Patent No. 5,386,227).**

10. Regarding *claim 4*, as mentioned above in the discussion of claim 3, Shimamura discloses all of the limitations of the parent claim. Additionally, Shimamura discloses that the display (22) and semitransparent mirror (35) are supported by the arms 16C and 20. However, Shimamura fails to specifically disclose that the camera is supported by the second support structure. In the specification, applicant discloses that the support structure supports the camera since it is mounted below the camera. Zeper discloses a prompter which is mounted below and camera and provides support for the camera. As disclosed in Figures 4 and 5, the prompter (21) is mounted to the support member (12) which, in turn, is mounted to the tripod (13). This

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configuration allows for a more secure connection while also providing the camera (200) with more support. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to dispose the prompter system of Shimamura beneath the camera so that the camera also capable of being supported with a solid base.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- *Eisenberg (U.S. Patent No. 3,824,339)* discloses a prompting device in which a prompter (10) is slideably mounted to a camera (13).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (For either formal or informal communications intended for entry. For informal or draft communications, please label "**PROPOSED**" or "**DRAFT**")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (703) 305-1460. The examiner can normally be reached on Monday-Thursday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John M. Villecco  
June 21, 2004



WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600